

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

RONALD JAMES BREWER,) No. CV 06-08286-CAS (VBK)
Plaintiff,)
v.) ORDER (1) ACCEPTING AND ADOPTING
S. RICHARDS, et al.,) THE REPORT AND RECOMMENDATION OF
Defendants.) THE UNITED STATES MAGISTRATE
) JUDGE, (2) GRANTING IN PART
) DEFENDANTS' MOTION TO DISMISS
) WITH RESPECT TO DEFENDANT SMALLS;
) (3) DENYING IN PART DEFENDANTS'
) MOTION TO DISMISS, AND (4)
) ORDERING DEFENDANTS TO FILE AN
) ANSWER WITHIN 30 DAYS

Pursuant to 28 U.S.C. §636, the Court has reviewed the Complaint and all other papers along with the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation.

IT IS THEREFORE ORDERED that an Order be entered (1) approving and adopting the Report and Recommendation, (2) Defendants' Motion to Dismiss with respect to Defendant Smalls (claim three) and dismissing Plaintiff's state law claims for assault and battery (claim two) is granted; (3) Defendants' Motion to Dismiss is denied in part with

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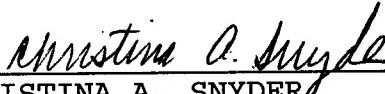
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1 respect to claim one; and (4) Defendants Richards, Williamson,
2 Fletcher, Becerril, Crawford, Jakell and Sosa are ordered to file an
3 Answer to the Complaint within 30 days of the date of this Order.

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5 DATED: June 3, 2008

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CHRISTINA A. SNYDER
UNITED STATES DISTRICT JUDGE

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